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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,931	12/04/2003	Elizabeth M. Comstock	199-0174US-D	6977

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EXAMINER

VU, VIET DUY

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/727,931	Applicant(s) COMSTOCK ET AL.	
	Examiner Viet Vu	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-19 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Art Rejections:

1. The text of 35 USC 103(a) not cited here can be found in the previous office action.

2. Claims 1-13 and 15-19 are rejected under 35 U.S.C. 102(e) as being unpatentable over Smith, U.S. pat. No. 6,201,859 in view of Post, U.S. pat. No. 5,822,527.

Per claims 1-2 and 5, Smith discloses a multimedia conferencing comprising:

- a) a plurality of media displays (3, fig. 1) at end users,
- b) a multipoint controller unit (MCU 1, fig. 1) having a plurality of output switches, each output switch receiving one or more media outputs from one or more sources, each output switch responsive to an output control signal for selecting one or more of the one or more media outputs to output as switched outputs, thereby providing one or more switched outputs to the media display (see Smith in col 6, lines 46-65);
- c) a policy manager, the policy manager applying a predetermined policy to generate the output control signal, and the policy manager providing the output control signal to the MCU, whereby the media display is controlled according to the predetermined policy (see Smith in col 7, lines 16-30).

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Smith does not explicitly teach using a stream tag/label to identify media stream types, i.e., audio, video. The use of media stream tag/label for identifying media stream is disclosed by Post (see Post in col 6, lines 10-16 and col 8, line 8-52).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Post's media stream labels/tags in Smith because it would have enabled the media controller to identify data stream for selecting proper data stream for display (see Smith in col 6, lines 49-62 and Post in col 2, lines 22-36).

Per claim 3, Smith teaches mixing or selecting one or more media sources for delivering to the users (see Smith in col 8, lines 11-21).

Per claim 4, Smith teaches providing selecting media stream based on a content policy, e.g., audio or video, and/or people policy, e.g., chairperson control (see Smith in col 19, lines 3-67).

Per claim 6, Post teaches using a tag table to provide exclusive control over roles of the predetermined policy (see Post in col 5, line 46- col 6, line 9).

Per claim 9, Smith teaches a network interface for coupling with conferencing device (see col 7, lines 35-48).

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Per claim 10, Post teaches defining/managing roles as people roles, e.g., user names, company names, or content roles, e.g., data types, etc., (see Post in col 5, line 46- col 6, line 9). It is also noted that many such roles are usually hierarchically defined.

Claims 7-8, 11-13, 15 and 17-19 are similar in scope as that of claims 1-6 and 9-10.

Per claim 16, Smith teaches processing and converting media stream signal from one form to another (see Smith in col 20, lines 11-48).

Allowable Subject Matter:

3. Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Amendment:

4. Applicant's arguments filed on 5/1/06 with respect to claims 1-13 and 15-19 are moot in view of new grounds of rejection set forth above.

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Conclusion:

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 4:00pm. The Group general information number is 571-272-2100. The Group fax number is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**VIET D. VU
PRIMARY EXAMINER**

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5/25/06